

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

JOHN W. BROWN,

Plaintiff,

v.

**BILL B. LEE, GOVERNOR OF THE
STATE OF TENNESSEE, et al.,**

Defendant.

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) **No. 3:20-cv-00916**
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ORDER

Before the Court is the Magistrate Judge’s Report and Recommendation (“R&R”) (Doc. No. 32) recommending that the Court deny Defendants’ Motion to Dismiss (Doc. No. 22) and deny without prejudice Plaintiff’s Motion for Preliminary Injunction (Doc. No. 26). No objections have been filed.

Although not required the Court has reviewed the R&R *de novo* and will accept the R&R. However, the Court is compelled to emphasize what the Magistrate Judge recognized as have a plethora of other courts. A motion to dismiss a claim asserting an Ex Post Facto Violation regarding the current version of SORA that has been found to be punitive, Doe v. Lee, 518 F. Supp. 3d 1157, 1183 (M.D. Tenn. 2021) borders on being pointless.

Accordingly, the Magistrate Judge’s Report and Recommendation (Doc. No. 32) is **APPROVED** and **ADOPTED**. Defendants’ Motion to Dismiss (Doc. No. 22) is **DENIED**, and Plaintiff’s Motion for Preliminary Injunction (Doc. No. 26) is **DENIED WITHOUT PREJUDICDE** subject to refiling.

IT IS SO ORDERED.



WAVERLY D. CRENSHAW, JR.
CHIEF UNITED STATES DISTRICT JUDGE